witness must be proved to be related to the declarant. In connection with this topic Professor THAYER might, perhaps, have cited with advantage the case of Sitler *v.* Gehr, in 105 Pennsylvania.

On the whole, nothing but praise can be accorded to this volume, and we welcome it as one of the most important contributions to legal literature which has appeared in many a day.

G. W. P.

BLACKSTONE'S COMMENTARIES ON THE LAWS OF ENGLAND. Edited by WILLIAM HARDCASTLE BROWNE, A.M., of the Philadelphia Bar. New York : L. K. Strouse & Co., 1892.

In this single volume of about eight hundred clearly printed pages Mr. BROWNE offers to the public "all of BLACKSTONE'S great work which has any bearing whatever upon the present law, whether it be the law itself, as now operative, or the grand principles which underlie it; and also all matter of historic interest contained in the commentaries which may prove valuable or entertaining reading." The editor appends a glossary of legal terms employed, brief biographical notes of writers referred to, and a chart of descent of English sovereigns. All the notes of former editors are omitted, and none are substituted for them, with the exception of a very few brief foot-notes designed to qualify or explain condensed statements in the text. This is in response to a demand said to be made by leading educators for an edition of BLACKSTONE "exclusive of editor's notes."

The editor has not hesitated to condense the statements of his author, and he has divided the entire work into paragraphs, each of which begins with a side heading in heavy type so worded as to indicate the subject-matter of the paragraph.

Criticism of this work must be confined to the expression of a doubt whether such a book should ever have been written at all. If it once be admitted that BLACKSTONE can be abridged and "modernized" to advantage, it will be conceded that Mr. BROWNE has done his work reasonably well. It is true that the paragraph headings offend the eye, and that the use of the same type in them throughout the book destroys all sense of perspective by treating to that extent all statements as equally important, whether they be statements of some trivial illustration or of some weighty principle of law. It is also true that the process of condensation has resulted in marring the beauty of the author's style, and has thus deprived the work of a peculiar charm. But, on the whole, the omissions have been judiciously made, and the condensed statements are clear and reasonably complete.

As to the question whether or not such a work as BLACKSTONE'S is susceptible of abridgment we express an opinion with diffidence. Mr. BROWNE, in his preface, says that the general plan of the work has been approved by several eminent professors of the law. Such approval must carry great weight as coming from men who are in a position to gauge the needs of students. But it must not be forgotten that the commentaries of BLACKSTONE in themselves constitute only a bird's-eye view, as it were, of the field of law. Moreover, the mode of treatment

was itself characteristic of the age in which BLACKSTONE wrote. No jurist would think of writing a commentary upon the same lines to day. So that it is a serious question whether in abridging and modernizing BLACKSTONE we are not abridging an abridgment, and whether we are not taking from its frame a picture which, when the dust of ages is removed, is found to have in it many a defect and many a flaw.

G. W. P.

PRINCIPLES OF THE LAW OF WILLS, WITH SELECTED CASES. By STEWART CHAPLIN, Professor of Law in the Metropolis Law School, New York, and author of "Chaplin on Suspension of the Power of Alienation." New York: Baker, Voorhis & Co., 1892.

"This book," says the author in the opening lines of his preface, "is composed in part of text, devoted to stating and explaining the principles and the important features of the law of wills; and in part of selected cases, in which the facts illustrate, and the opinions expound and apply, that law."

The book differs from such works as "Richards on Insurance" in that the statement of principles is not confined to one portion of the book and the reported cases to another, but the cases are scattered through the text, somewhat in the manner in which the illustrations appear in Mr. Justice STEPHENS' "Digest of the Law of Evidence," except that in the book before us the illustrations are not merely condensations or syllabi of cases, but in a large number of instances are fully reported decisions with statement of facts, names of counsel and opinion of Court.

A careful examination of the work has convinced us of its value. The introduction gives in a few words the legal history of will-making, and proceeds to outline the author's plan of treatment. Starting with the general proposition that everyone has the right to make a will, Professor CHAPLIN considers the law under six main heads: (1) Testamentary Incapacity (or the question whether the testator fell short of the general statutory measure of persons competent to have and express their own will); (2) Undue Influence or Restraint (or the question whether the testator may have been driven to expressing the will of some one other than himself); (3) Execution, Revocation; (4) The Instrument itself, its make-up, nature, etc.; (5) Construction; (6) Probate.

Each of these topics is treated with remarkable conciseness and clearness. The illustrative cases are introduced with discrimination, and there can be no doubt that the student who studies this work from cover to cover will rise from his task with the principles of this branch of law firmly fixed in his mind, and that he will have at his command a valuable stock of precedents illustrating the application of those principles to the facts of actual cases.

Chapter VI contains a mine of information on construction, presumption, etc.; and the rules formulated by the author for arriving at the intent of the testator have the merit of clearness and precision.

It is scarcely necessary to remark that the reported cases are of value